

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEPHEN PULLENS,

Plaintiff,

vs.

AYAJ, Mr.; MR. GEERDES, Mr.;
BOYD, Mr.; HOGAN, Ms.; NELSON,
Ms.; LOCUS, Mr.; FRAKES, Mr.; and
NDCS,

Defendants.

8:21CV478

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Motion to Proceed in Forma Pauperis. (Filing 2.) The court has received a certified copy of Plaintiff's trust account information. (Filing 3.)

During the past six months, Plaintiff's average monthly balance was \$2,010.01 and his average monthly deposits were \$334.32. Pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff must pay an initial partial filing fee in the amount of 20 percent of the greater of his average monthly account balance or average monthly deposits for the six months preceding the filing of the Complaint. Therefore, even if the court were to grant Plaintiff in forma pauperis status, he would be required to pay 20 percent of \$2,010.01, or \$402.00, which is equivalent to the \$402 filing fee for this matter. Accordingly,

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Proceed in Forma Pauperis (Filing 2) is denied.

2. Plaintiff shall pay the \$402.00 filing fee no later than February 2, 2022.

3. Failure to comply with this order will result in dismissal of this matter without further notice.

4. The clerk's office is directed to set a pro se case management deadline using the following text: **February 2, 2022**: deadline for Plaintiff to pay \$402.00 filing fee.

Dated this 3rd day of January, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge